ZB# 89-28

Schoonmaker Homes (Glen Harrison)

80-8-17

#89-28- Schoonmaker Homes - (Harrison, Glen) - front gard

Helin. June 25 1989 PublicHearing!

Quq. 14,1989.

Notice to
Sential - 7/2/89.

The: Paid - 25:00

and Janance

Ck # 1428
Paid 7/11/89

7044 OF 1 THE 1 WAY DOOD	General Receipt	10797
TOWN OF NEW WINDSOR 555 Union Avenue New Windsor, N. Y. 12550		Jug. 8 1989
	Wildleth Schoonmaker Ho	nes) \$25 00
Questy -	we and -	DOLLARS
For 3BQ app	acation fee # 8	9-28
DESTRIBUTION: FUND COL	DE AMOUNT By Paul	Dino y Downsond
CR#1428	3.00	
Williamson Law Book Co., Rochester, N. Y. 14609	Jour	Title

NEW WINDSOR ZONING BOARD OF APPEALS

In the Matter of the Application of

DECISION GRANTING AREA VARIANCE

SCHOONMAKER HOMES, INC.

#	8	9	 2	8	

____X

WHEREAS, SCHOONMAKER HOMES, INC., a corporation having an office at 217 Everett Place, Maybrook, N. Y., by its agent, Anthony Gizzi, has made application before the Zoning Board of Appeals for a 2.55 ft. front yard variance for construction of a single-family residence in a CL (Cluster) zone; and

WHEREAS, a public hearing was held on the 14th day of August, 1989 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant appeared by its agent, Elias D. Grevas, L. S. of Grevas and Hildreth, P. C.; and

WHEREAS, the application was opposed by several residents of Shaker Court North mainly due to concern over conformity with other houses in the development; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

- l. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in $\underline{\text{The}}$ $\underline{\text{Sentinel}}$, also as required by law.
- 2. The evidence shows that applicant is seeking permission to vary the bulk regulations with regard to front yard in order to allow construction of a single-family residence.
- 3. The evidence shows that, at the request of the Town of New Windsor, the location of a drainage easement was shifted, causing the same to be located entirely within the bounds of this lot, rather than only one-half thereof within the bounds of this lot, and this change affected the applicant's options for siting the house on the lot.
- 4. The evidence presented by Applicant substantiated the fact that a variance for less than the allowable front yard would be required in order to allow the proposed construction which otherwise conforms to the bulk regulations contained in the CL zone and rejection of the same would cause practical difficulty to Applicant since the relief sought by Applicant is not substantial in relation to the required bulk regulations.

- 5. The requested variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood.
- 6. The requested variance will produce no effect on the population density or governmental facilities.
- 7. That there is no other feasible method available to Applicant which can produce the necessary results other than the variance procedure.
- 8. The interest of justice would be served by allowing the the granting of the requested variance.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a 2.55 ft. front yard variance sought by Applicant in accordance site plan filed with the Building Inspector and presented at the public hearing.

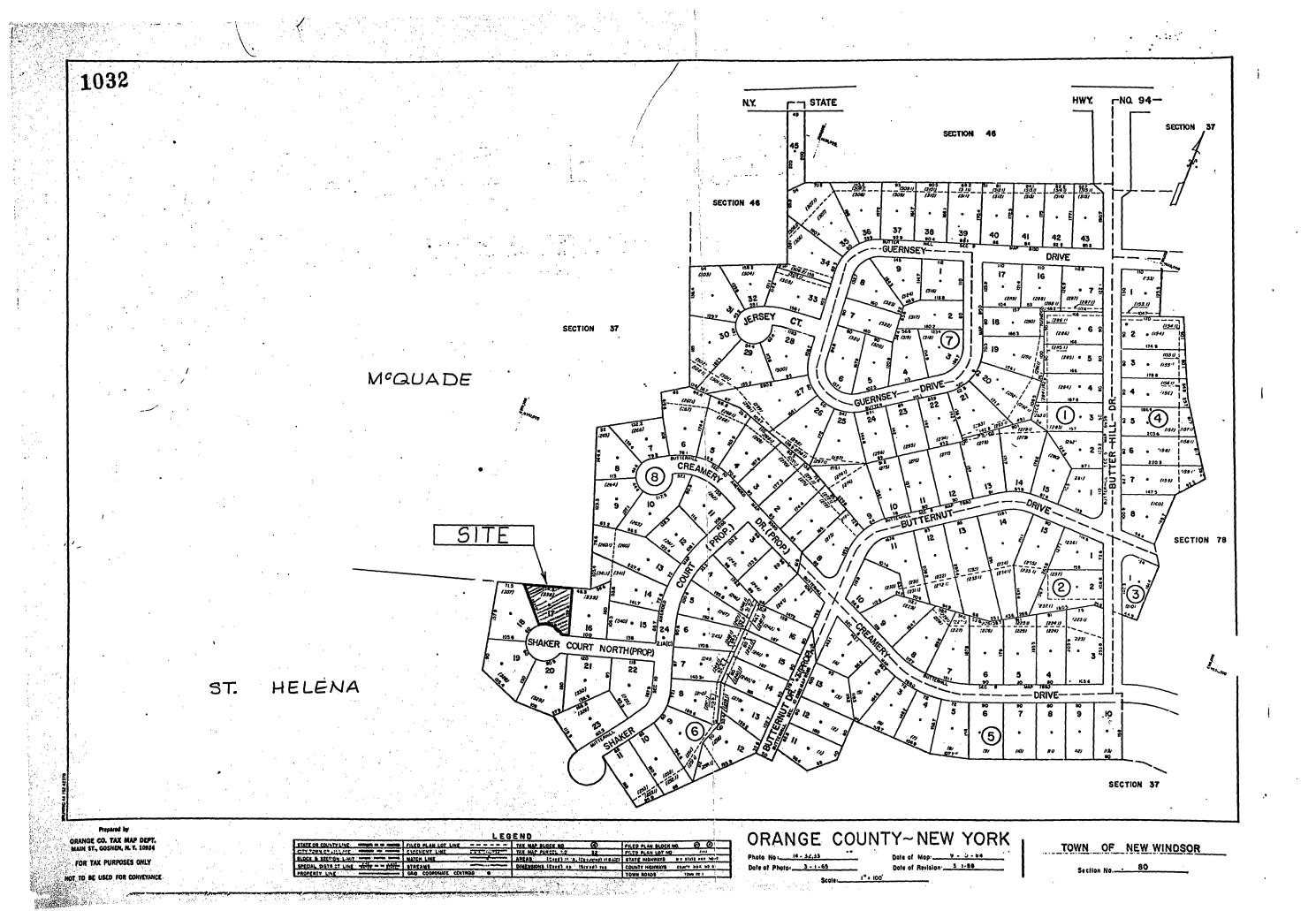
BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: September 11, 1989.

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(ZBA DISK#5-053085.FD)



TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

Applicant Information: Schoonmaker Homes, Inc.

(a) 217 Everett Place, Maybrook, N.Y. 12543; (914) 427-5511

(Name, address and phone of Applicant) (Owner) (b) (Name, address and phone of purchaser or lessee) (c) (Name, address and phone of attorney) (d) (Name, address and phone of broker) II. Application type: Sign Variance Use Variance Area Variance Interpretation Property Information:
(a) <u>CLI</u> <u>Lot 338</u>, Shaker Gurt North (Address) III. 12,506 5.4. (Lot size) What other zones lie within 500 ft.? R-4 R-3

Is a pending sale or lease subject to ZBA approval of this (b) (c) application? No When was property purchased by present owner?
Has property been subdivided previously? Yes When? 11/13/87
Has property been subject of variance or special permit (f) previously? No When?
Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? Yes.

Is there any outside storage at the property now or is any (g) proposed? Describe in detail: None proposed IV. Use Variance: Use Variance requested from New Windsor Zoning Local Law, Section , Table of Regs., Col. , to allow: (Describe proposal)

		-2-	
	(1-)	The legal standard for a "Use" variance is unnecessary	
	(b)	hardship. Describe why you feel unnecessary hardship	
		will result unless the use variance is granted. Also	
		set forth any efforts you have made to alleviate the hardship other than this application.	
•			
v.	Area	variance:	
	(a)	Area variance requested from New Windsor Zoning Local Law,	
		Section 48, Table of Use/Bulk Regs., Col. E.	
		Proposed or Variance	
		Requirements Min. Lot Area 12 5005.F. Available Request 12.5065.F. 0	
		Min. Lot Area 12,5005.F. 12,5065.F. 0 Min. Lot Width 80' 101± 0	
		Reqd. Front Yd. 40' 37.45' 2.55'	
		Reqd. Side Yd. 12'/24' 22.4/51.5 0/0	
		Reqd. Rear Yd. 40.4 O	
		Frontage* 60' 90.9'	
•		Max. Bldg. Hgt. 35' 26'1	
		Min. Floor Area* 1,000 5.F. 1,900 55.F. 0 Dev. Coverage* 30 % 17 % 0%	
ì		Dev. Coverage* 30 % 17 % 0 % Floor Area Ratio** N/A	
		<pre>* Residential Districts only ** Non-residential districts only</pre>	
	/1 \	·	
	(b)	The legal standard for an "AREA" variance is <u>practical</u> difficulty. Describe why you feel practical difficulty	
		will result unless the area variance is granted. Also,	
		set forth any efforts you have made to alleviate the	
		difficulty other than this application. O Location of Storm dyainage easement and size of	
		house required by buyer restrict placement within	
		required wards.	
		2 Habse position on lot minimizes variance request; all other corners meet yard requirements.	
		(See plan Submitted)	
VI.	Sian	Variance:	
٧	PTEII	(a) Variance requested from New Windsor Zoning Local Law,	
		Section, Table of Regs., Col	*
		Proposed or Variance	
		Sign 1 Requirements Available Request	
,		Sign 2	
		Sign 3	
•		Sign 4 Sign 5	
	,		
		Total sq.ft. sq.ft. sq.ft.	
		sq.ft. sq.ft.	

	-3-
(b)	Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.
(c)	What is total area in square feet of all signs on premise including signs on windows, face of building, and freestanding signs?
	•
VII. Inte (a)	rpretation: Interpretation requested of New Windsor Zoning Local Law, Section, Table of Regs., Col.
(b)	Describe in detail the proposal before the Board:
•	
	Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
	Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening,
	Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.) Location of lot (on cul-de-Sac) and adjoining existing house positions indicate that variance would not
. (a)	Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.) Location a lot (on cul-de-Sac) and adjoining existing house positions indicate that variance woold not affect appearance of neighborhood. Chments required: Copy of letter of referral from Bldg./Zoning Inspectors
(a)	Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.) Location d lot (on cul-de-Sac) and adjoining existing house positions indicate that variance would not affect appearance of neighborhood.

X. AFFIDAVIT

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Date	29 VULY	1989

STATE OF NEW YORK)

COUNTY OF ORANGE)

SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

A FORMAL DECISION WILL FOLLOW WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS.

TOWN OF NEW WINDSOR Prelim.

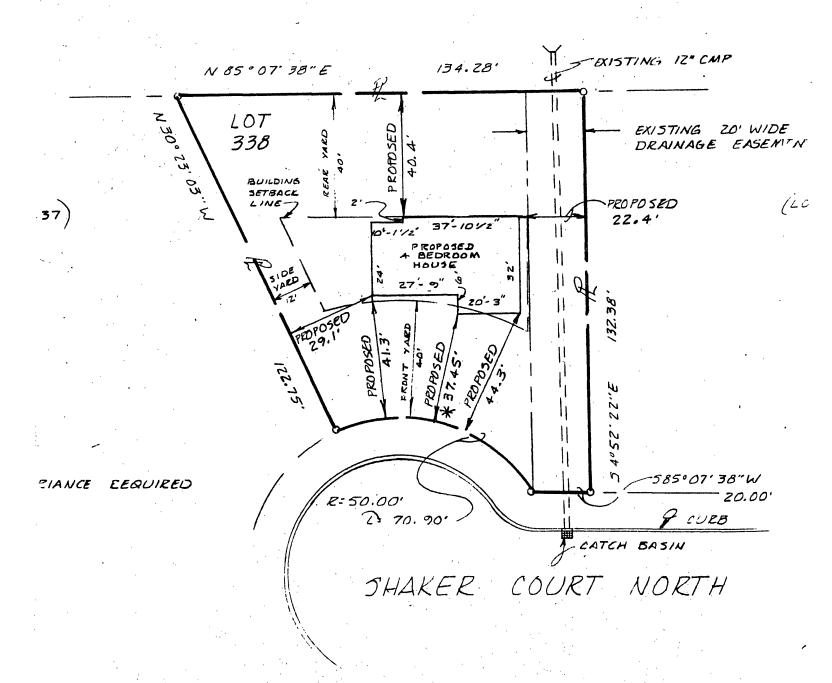
555 UNION AVENUE
NEW WINDSOR, NEW YORK

Rec'd. 284

5 | 6 | 89
89-28

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

			•
FILE	E NUMBER 89-19	· · · · · · · · · · · · · · · · · · ·	
TO;	Schoonmaker Homes	Harry	son, Oreg.
	217 Everett_P1.		
,	Maybrook, N.Y.		<u>-</u>
PLE	ASE TAKE NOTICE THAT YOUR AP	PLICATION DAT	ED no Date ,
FOR	PERMIT TO Construct single fa	mily house	
AT_	Shaker Court North		
ıs	DISSAPROVED ON THE FOLLOWING	GROUNDS In	sufficient setback
	Zone CL	•	
REQ	UIREMENTS	PROPOSED	VARIANCE
	Front depth 40'	37.45'	2.55'
	Call Pat Barnhart (565-8550) to	set up an appoi	ntment
BUI	ILDING INSPECTOR		



TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined	•••••	Office Of Building Inspector Michael L. Babcock Town Hall, 555 Union Avenue New Windsor, New York 12550 Telephone 565-8807
Refer —	APPLICATION	FOR BUILDING PERMIT
Planning Board		Building Code and Town Ordinances
Sewer		
Water		Date19
Zoning Board of Appeals	INSTRUCTIONS	
	Markochona	
a. This application must be completely filled i	in by typewriter or in ink and s	ubmitted in duplicate to the Building Inspector.
b. Plot plan showing location of lot and build and giving a detailed description of layout of propo	dings on premises, relationship erty must be drawn on the diag	to adjoining premises or public streets or areas, gram which is part of this application.
c. This application must be accompanied by sets of specifications. Plans and specifications shall to be used and installed and details of structural, to	describe the nature of the work	to be performed, the materials and equipment
d. The work covered by this application may	not be commenced before the	issuance of a Building Permit.
e. Upon approval of this application, the Bui proved set of plans and specifications. Such permit for inspection throughout the progress of the work	and approved plans and specif	lding Permit to the applicant together with ap- ications shall be kept on the premises, available
f. No building shall be occupied or used in wh have been granted by the Building Inspector.	nole or in part for any purpose	whatever until a Certificate of Occupancy shall
Building Construction Code Ordinances of the To or for removal or demolition or use of property, a dinances, regulations and certifies that he is the ow scribed in this application and if not the owner, the assume responsibility for the owner in connection to the	own of New Windsor for the co a herein described. The applica- tner or agent of all that certain that he has been duly and propo- with this application.	nt agrees to comply with all applicable laws, or- lot, piece or parcel of land and/or building de-
	PLOT PLAN	
NOTE: Locate all buildings and indicate all se Applicant must indicate the building line or li		ne drawings.
	N	
		•

Planning Board. Highway Sewer	Pursuant to New York State Building Code and To	own Ordinances
Water	Date	19
a. This application must be completely fill	INSTRUCTIONS led in by typewriter or in ink and submitted in duplicate t	o the Building Inspector.
	ouildings on premises, relationship to adjoining premises (roperty must be drawn on the diagram which is part of t	
	by two complete sets or plans showing proposed constru- nall describe the nature of the work to be performed, the al, mechanical and plumbing installations.	
에 로마리 가라구시는 모든 나무가 되었다면 그리고 있다.	may not be commenced before the issuance of a Building	
proved set of plans and specifications. Such per for inspection throughout the progress of the w	Building Inspector will issue a Building Permit to the appropriate and approved plans and specifications shall be kept owork. A whole or in part for any purpose whatever until a Certi	n the premises, available
have been granted by the Building Inspector.	whole of in part tot any purpose whatever than a Certification	
Building Construction Code Ordinances of the or for removal or demolition or use of property dinances, regulations and certifies that he is the scribed in this application and if not the owner assume responsibility for the owner in connectic	217 EVERET PLACE	, additions or alterations, th all applicable laws, or- land and/or building de- e this application and to
	PLOT PLAN	
NOTE: Locate all buildings and indicate al Applicant must indicate the building line of	ll set-back dimensions. or lines clearly and distinctly on the drawings.	
	N	
W Print	Du Escine 78 25	

IMPORTANT

REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

OTHER INSPECTIONS WILL BE MADE IN MOST CASES, BUT THOSE LISTED BELOW MUST BE MADE OR CERTIFICATE OF OCCUPANCY MAY BE WITHHELD. DO NOT MISTAKE AN UNSCHEDULED INSPECTION FOR ONE OF THOSE LISTED BELOW. UNLESS AN INSPECTION REPORT IS LEFT ON THE JOB INDICATING APPROVAL OF ONE OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

2-FOUNDATION INSPECTION - CHECK HER 3-INSPECT GRAVEL BASE UNDER CONCRE	FOOTING FORMS ARE IN PLACE (BEFORE POURING). E FOR WATERPROOFING AND FOOTING DRAINS. TE FLOORS, AND UNDERSLAB PLUMBING. EFFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-
6-PLUMBING FINAL & FINAL. HAVE ON HA UNDERWRITERS, AND FINAL CERTIFIED 7-DRIVEWAY INSPECTION MUST MEET AP 8-\$20.00 CHARGE FOR ANY SITE THAT CAL 9-PERMIT NUMBER MUST BE CALLED IN V 10-THERE WILL BE NO INSPECTIONS UNLES 11-SEWER PERMITS MUST BE OBTAINED AL 12-SPETIC PERMIT MUST BE SUBMITTED W 13-ROAD OPENING PERMITS MUST BE OBTA	LS FOR THE SAME INSPECTION TWICE. VITH EACH INSPECTION. SS YELLOW PERMIT CARD IS POSTED. LONG WITH BUILDING PERMITS FOR NEW HOUSES. ITH ENGINEER'S DRAWING & PERC TEST. AINED FROM TOWN CLERK'S OFFICE.
Name of Owner of Premises Same	IST
_	·
•	MAYBREAK NO Phone 427-5511
Address Now Windson NY	Phone
Name of Contractor	Lames 1SI
Address. SAME	Phone 427-5511
State whether applicant is owner, lessee, agent, arch If applicant is a corporation, signature of duly auth	nitect, engineer or builder:640.19.1372
	(Name and title of corporate officer)
(N.	S. E. or W.)
and	SHAKER CT. of SHAKER CT. NORTH
2. Zone or use district in which premises are situat	

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

I-WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING). 2-FOUNDATION INSPECTION - CHECK HERE FOR WATERPROOFING AND FOOTING DRAINS.
3-INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
4-WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-
IN.
5-INSULATION. 6-PLUMBING FINAL & FINAL. HAVE ON HAND ELECTRICAL INSPECTION DATA PER THE BOARD OF FIRE
UNDERWRITERS, AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETE AT THIS TIME.
7-DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR.
8-\$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE SAME INSPECTION TWICE.
9-PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
10-THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
II-SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES. 12-SPETIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
13-ROAD OPENING PERMITS MUST BE OBTAINED FROM TOWN CLERK'S OFFICE.
1
Name of Owner of Premises Schoon NEST. Hames JST.
Address 217 EVERETT PLACE MAJBROOK NO Phone 427-5511
Name of Architect. Paul. C. Carrio
Address New Winner NY Phone
Name of Contractor Saltzen Nama Name Lauries ISI
Address SAME Phone 427-5511
State whether applicant is owner, lessee, agent, architect, engineer or builder: らんい. いにた
If applicant is a corporation, signature of duly authorized officer.
Anthon On (Job Maraceste)
(Name and title of corporate officer)
1. On what street is property located? On the
(N S F or W)
(N S F or W)
(N. S. E. or W.) and 1.70feet from the intersection of SHAKER CT. SHAKER CT. DORTH.
(N. S. E. or W.) and
(N. S. E. or W.) and 1.70feet from the intersection of SHAKER CT. SHAKER CT. DORTH.
(N. S. E. or W.) and
(N. S. E. or W.) 2. Zone or use district in which premises are situated Resident Lot. 17. 3. Tax Map description of property: Section Block Lot. 17. 4. State existing use and occupancy of premises and intended use and occupancy of proposed construction: a. Existing use and occupancy
(N. S. E. or W.) and

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

8/14/89-Public Hearing - Schoonmaker Homes, Inc. Name: Aldress, John + Down Bin Man 107 Shave Ct Worth JENNIFER + Jimmy Marotta 108 Shaker Cl. Novith Michael + Pathicia Keine 105 Stakes Ct Mars Duning Ray Dolan 103 Z= \$ Wing Deto 104 11 11 Objections on aring a concerning to a concerni and the second of the second o

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TOWN OF NEW WINDSOR

555 UNION AVENUE NEW WINDSOR, NEW YORK



May 9, 1989 -

Grevas & Hildreth, P.C. 33 Quassaick Ave. New Windsor, NY 12550

Attn: William B. Hildreth

Vice President

Re: Variance List 500 ft. - 80-8-17

Dear Mr. Hildreth:

According to our records, the attached list of property owners are within five hundred (500) feet of the above mentioned property.

The charge for this service is \$45.00, minus your deposit of \$25.00.

Please remit same to the Town Clerk, Town of New Windsor, NY.

Very truly yours,

LESLIE COOK Sole Assessor

LC/cp

Cazzola, Keith & Karen 346 Butternut Drive New Windsor, NY 12550

Krom, George R. Jr. & Donald T. 11 Maple Ave. Cornwall-on-Hudson, NY 12520

D'Esposito, Joanne G. 128 Creamery Drive New Windsor, NY 12550

Fioravanti, Eric L. & Judith A. 127 Creamery Drive New Windsor, NY 12550

Mahedy, Dennis P. & Debra S. 125 Creamery Drive New Windsor, NY 12550

Petronzio, Mark D: & Nugent, Barbara 6 Hazely Court Rochelle Park, NJ 07662

Seto, Wing & Lois 104 Shaker Ct. North New Windsor, NY 12550

Kane, Michael S. & Patricia A. 105 Shaker Ct. North New Windsor, NY 12550

Dolan, Raymond P. & Virginia M. 103 Shaker Ct. North New Windsor, NY 12550

Hannon, Thomas M. & Kathleen A. 101 Shaker Ct. No. New Windsor, NY 12550

Bjorkman, 107 Shaker Ct. New Windson, n.y.

The Order of St. Helena P.O. Box 426 Vails Gate, NY 12584

The McQuade Foundation P.O. Box 4064 New Windsor, NY 12550

The Town of New Windsor 555 Union Ave. New Windsor, NY 12550

Zgrodek, Stanley A. & Clara M. 6 Rocky Lane New Windsor, NY 12550

Andoom Development Co. Inc. 33 Sweet Brian Rd. Stamford, Ct 06905

Arcaro, Vincent & Sandra 5 Shaker Court New Windsor, NY 12550

Perretti, Donald J. & Gina 9 Shaker Court New Windsor, NY 12550

Villafane, Rafeal E. & Linda 11 Shaker Court New Windsor, NY 12550

Foschini, Errol & Emilia
13 Shaker Court
New Windsor, NY 12550

Stone, Howard & Kathleen 15 Shaker Court New Windsor, NY 12550

Zimmerman, Robert P. & Mary Ellen 17 Shaker Court New Windsor, NY 12550

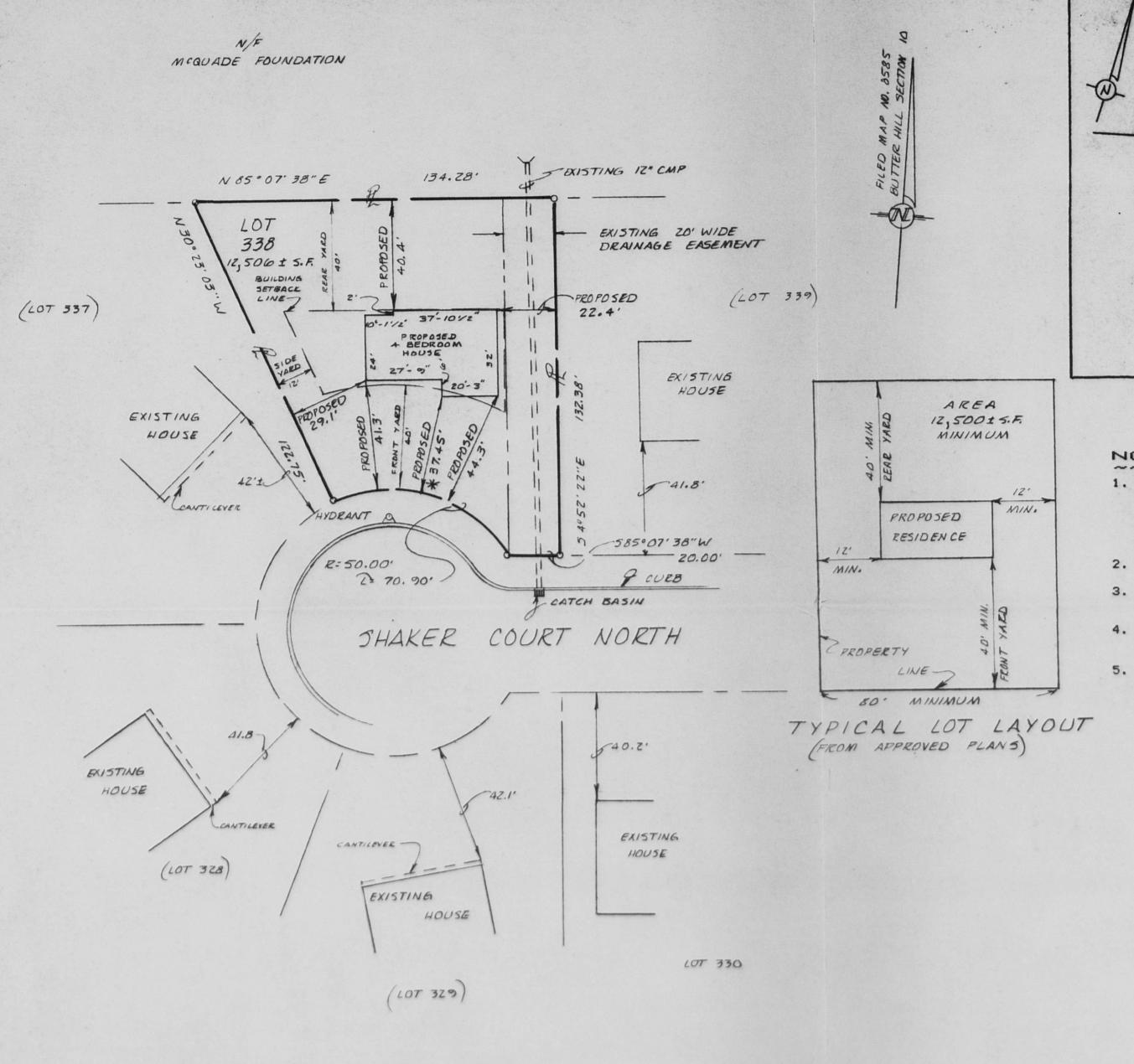
Morfe, Michael E. & Carmen P. 350 Butternut Drive New Windsor, NY 12550

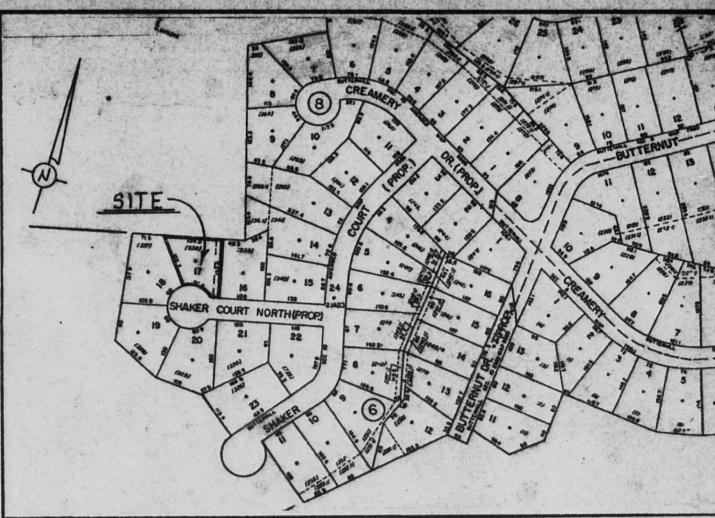
Herlihy, Dennis &
Mayer, Susan
348 Butternut Drive
New Windsor, NY 12550

PUBLIC NOTICE OF HEARING BEFORE ZONING BOARD OF APPEALS TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following proposition:

	Appeal No. 28
• •	Request of Schoonmaker Homes, Inc.
t	for a VARIANCE of
	the regulations of the Zoning Local Law to
	permit construction of a single-family residence
•	with less than the required front yard.
	being a VARIANCE of
,	Section 48 Use/Bulk Regulations, Col. E.
	for propertý situated as follows:
	Lot 338, Shaker Court North, Butter Hill Subdivision,
	Section 10; Tax Map Reference: Sect. 80,
, a	Black 8, Lot 17 - New Windson, n.y.
SAID	HEARING will take place on the // day of
Qu	qust, 1989., at the New Windsor Town Hall,
	Union Avenue, New Windsor, N. Y. beginning at
7:30.	o'clock P. M.





SITE LOCATION PLAN

NOTES

- Being a proposed development of Tax Lot # 17, in Section 80, Block 8. Also being Lot # 338, as shown on a map entitled "Butter Hill Subdivision, Section 10, Amended Map", said map having been filed in the Orange County Clerk's Office on 13 November 1987 as Map No. 8585.
- 2. PROPERTY ZONE:

CLI

- 3. Offsets shown are at right angles to the property lines and radial to curves.
- 4. The locations of existing houses shown resulted from various field surveys performed by the undersigned.
- 5. Unauthorized additions or alterations to this plan is a violation of Section 7209 (2) of the N.Y.S. Education Law.

